



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

MAR 19 2015

Operations Support Branch

SUBJECT: Revalidation Review for DA Permit No. NAN-2012-01262, NYC
Economic Development Corporation - Manhattan Cruise Terminal
(MCT), Hudson River, Manhattan, NY

Mr. Douglas Pabst
Team Leader, Dredged Material Management Team
US Environmental Protection Agency – Region 2
290 Broadway
New York, New York 10007-1866

Dear Mr. Pabst:

Enclosed please find a request from the NYC Economic Development Corporation (EDC) to perform maintenance dredging at their Manhattan Cruise Terminal (MCT) with placement of the material at the Historic Area Remediation Site (HARS). The proposed work would be performed under Department of the Army Permit No. NAN-2012-01262 which was issued to EDC on August 28, 2013. This revalidation would enable the permittee to complete a fourth dredging and placement event under the permit.

We have reviewed the submitted information and find that the dredged material continues to be acceptable for placement at the HARS. In accordance with 33 CFR Part 324.4(c) and 40 CFR Parts 225.2 and 227.6, we request that the US Environmental Protection Agency evaluate the enclosed information and advise us as to whether you also concur with this assessment. Please provide a written response within 5 business days.

Questions concerning this correspondence can be directed to either Kelly Vega at 917-790-8429, or Oksana Yaremko, Chief of the Dredged Material Management Section at 917-790-8539.

Sincerely,

Randall G. Hintz
Chief, Operations Support Branch

Enclosures



US Army Corps
of Engineers
New York District

U.S. Army Corps of Engineers - New York District
26 Federal Plaza
New York, New York 10278-0090
and
U.S. Environmental Protection Agency - Region 2
290 Broadway
New York, New York 10007-1866



Date: 19 March 2015

MAR 24 2015

Subject: Permit Revalidation

Permit No. NAN-2012-01262

Applicant: NYCEDC - MCT

Waterway: Hudson River

The New York District Corps of Engineers is submitting the attached permit revalidation review for EPA-Region II's review and concurrence.

Prepared by: Kelly Vega

Kelly Vega

Approving Supervisor: Oksana Yaremko

Oksana Yaremko

Date:

The US Environmental Protection Agency has reviewed the subject sampling permit revalidation.

☒ USEPA concurs with revalidation of the permit.

☐ USEPA does not concur for the following reasons:

☐ A list of required testing is attached.

Reviewed by: *Alex Remnek*

Alexandre Remnek 3/24/15

Approving Supervisor: CHARLES LOBVE

Charles Lobve

MAR 19 2015

MEMORANDUM FOR: The Record

SUBJECT: Revalidation Review for DA Permit No. NAN-2012-01262, NYC Economic Development Corporation - Manhattan Cruise Terminal (MCT), Hudson River, Manhattan, NY

1. CENAN-OP-SD has reviewed the revalidation request for the project indicated above.
2. Examination of our files reveals that the project has been dredged three times under the current permit in order to maintain the authorized depths of 36 ft below mean low water (MLW) plus 2-ft allowable overdepth in the berthing areas and 40+2 ft MLW in the "Notch" area between Piers 88 and 90. Approximately 148,000 cubic yards (CY) of dredged material was dredged in the time period 3 September – 2 October 2014 with subsequent placement at the Historic Area Remediation Site (HARS) in the Atlantic Ocean.
3. The current request (see enclosed letter from permittee dated 18 March 2015) is for an anticipated 121,200 CY of material to be dredged from the same areas as authorized in the original permit. The permittee has provided a bathymetric survey from soundings taken on 13 March 2015 (copy enclosed), which shows that the dredging footprint (red and green depths) remains unchanged from the original permitted area. However, the proposed project depths are the following: (a) Berth #1, -32 feet below Mean Lower Low Water (MLLW) plus 2 feet allowable overdepth; (b) Berth #2, -32 feet below MLLW plus 2 feet allowable overdepth; (c) Berth #3, -32 feet below MLLW plus 2 feet allowable overdepth; (d) Berth #4, -32 feet below MLLW plus 2 feet allowable overdepth; and (e) Berth #5, -28 feet below MLLW plus 2 feet allowable overdepth.
4. Bioassay/bioaccumulation testing for DA Permit No. NAN-2012-01262 was performed on samples collected on 12-14 December 2012. A review of the test results indicated that the material is Category I under USEPA Region 2/New York District Corps of Engineers guidance and is suitable for placement at the HARS as remediation material.
5. The permittee has reviewed the history of contaminated spills in the vicinity of the project area since the Fall 2014 dredging event utilizing the United States Coast Guard (USCG) National Response Center (NRC) database. The permittee determined there were no spills in the vicinity of the project area. Therefore, we do not anticipate any impact on the sediment quality or the dredging permit.
6. A review of the administrative record and environmental history of the project area since it was last dredged indicates that neither the project itself, nor conditions within the area have materially changed. Additional sampling and testing are, therefore, not necessary for revalidation of this permit.
7. USEPA Region 2's concurrence with this determination is required and will be confirmed under separate cover.
8. Questions regarding this determination can be directed to the undersigned (x8429).


Kelly Vega
Biologist
CENAN-OP-SD

Enclosures



March 18, 2015

Rosita Miranda
Regulatory Project Manager
US Army Corps of Engineers, New York District
26 Federal Plaza, Room 1937

Reference: Permit No. NAN-2012-01262-WSC
New York City Economic Development Corporation
Manhattan Cruise Terminal, Hudson River, Passenger Ship Terminal
Revalidation Request for Maintenance Dredging in Spring 2015

Dear Ms. Miranda:

The New York City Economic Development Corporation (NYCEDC) herein submits a request for revalidation to perform maintenance dredging at the Manhattan Cruise Terminal (MCT) in April 2015 with placement of dredged material at the Historic Area Remediation Site (HARS). Dredging at the MCT was last performed in Fall 2014 (September 3 to October 2, 2014) with subsequent material placement at the HARS.

As per Permit Special Condition (V), we have attached an electronic copy of the hydrographic survey of the site performed on March 13, 2015 (GBA- Conditional Survey Bathymetry Plan). As this is a high shoaling area, a Before-Dredging (BD) survey is planned immediately before dredging begins. At the completion of the BD survey, four (4) engineering size, certified, and sealed copies, and one (1) electronic file copy of the BD survey will be submitted with finalized contract templates and quantities.

The dredging quantity as preliminarily defined by the GBA - Conditional Survey Bathymetry Plan is 121,200 cubic yards.

As per Permit Special Condition (V), we have reviewed the history of contaminated spills in the vicinity of the project area since the Fall 2014 dredging event. The history of contaminated spills list was produced by the United States Coast Guard (USCG) National Response Center (NRC) and compiled in an excel database. From review of the NRC Database, no spills were reported in the vicinity of the MCT, and thus we do not anticipate any spills in the area that would impact the sediment quality or the dredging permit. The NRC database was not attached since no spills were reported in the vicinity of the MCT.

Dredging of sediment from the MCT is imperative in order to maintain safe navigation for passenger cruise ships that call on the terminal, and to accommodate the vessels during Fleet Week. Due to the dredging schedule and need to accommodate vessels utilizing the Terminal, NYCEDC anticipates dredging commencement on April 13, 2015. We would also like to schedule the Pre-Construction meeting on April 8, 2015 as per Special Condition (C).